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Paper No. 16

DONALD MICHAEL VERNON-WOODS
25 TALLOW WOOD CROSE
WILBERFORCE, 2756 AIRMAIL

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AUG 12 2004

OFFICE OF PETITIONS

In re Application of :
Donald Michael Vernon-Woods :
Application No. 09/531,769 : **ON PETITION**
Filed: March 21, 2000 :
For: SPRAY APPLICATOR BELT HOOK :

This is a decision on the petition under 37 CFR 1.137(b), filed May 24, 2004, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." No additional fee is required with any renewed petition. Petitioner is advised that this is **not** a final agency action decision.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed October 20, 2003, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on January 21, 2004.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)). This petition lacks items (1) and (2) above.

As to item(1), petitioner has tendered a check in the amount of \$650.00. As stated in the Issue Fee Transmittal, the issue fee for small entity is \$665.00. Therefore, an additional \$15.00 is required.

As to item (2), petitioner must pay a petition fee of \$665.00 in order for the petition to be granted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
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Alexandria, VA 22313-1450


By hand: Customer Window located at:

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By fax: (703) 872-9306
Attn: Office of Petitions

The Change of Correspondence Address filed on May 24, 2004 is noted and made of record.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 306-5685.


Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy